

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

ROBERT K. SCALES, JR.,

Plaintiff,

vs.

DOLLAR TREE STORES, INC.,

Defendant.

**8:18CV171**

**ORDER**

This matter is before the Court on the Motion to Quash Subpoena Duces Tecum Pursuant to Fed. R. Civ. P. 45(d) ([Filing No. 1](#)) filed by a non-party, Werner Enterprises, Inc. (“Werner”). Werner seeks an order quashing the subpoena issued by Plaintiff, Robert Scales, Jr., in the above-captioned case pending in the United States District Court for the District of Massachusetts. In response to the Motion, Plaintiff has withdrawn the subpoena subject to Werner’s motion. ([Filing No. 5](#)). Therefore, Werner’s motion is moot. Accordingly,

**IT IS ORDERED:** The Motion to Quash Subpoena Duces Tecum Pursuant to Fed. R. Civ. P. 45(d) ([Filing No. 1](#)) is denied as moot. The Clerk of Court may close this case.

Dated this 8<sup>th</sup> day of May, 2018.

BY THE COURT:

s/ Michael D. Nelson  
United States Magistrate Judge